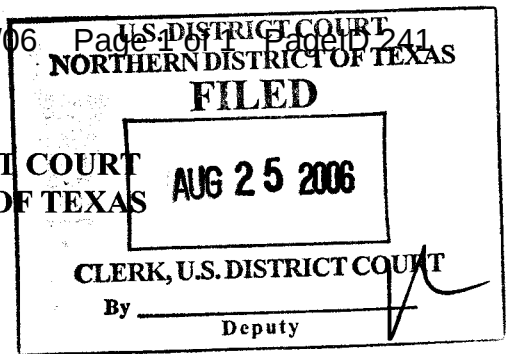


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



JOHNEY M. EVANS,

Plaintiff,

v.

CITY OF IRVING, et al.,

Defendants.

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Civil Action No. 3:05-CV-2149-K

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions and Recommendation of United States Magistrate Judge Paul D. Stickney on Defendants the City of Irving and Scott Whitt's motion to dismiss. The District Court reviewed the findings of the United States Magistrate Judge *de novo*. The Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge. Defendants' motion to dismiss is **GRANTED**.

SO ORDERED this 25th day of August, 2006.


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UNITED STATES DISTRICT JUDGE